

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING

OF
TUESDAY, APRIL 8, 1986
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Struiksma at 10:13 a.m. The meeting was recessed by Deputy Mayor Struiksma at 12:23 p.m. to convene as the Special Joint Council and Redevelopment Agency meeting with Council Members Cleator and Jones not present. The meeting was recessed at 12:25 p.m. to convene as the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Struiksma at 12:31 p.m. with Council Members Cleator and Jones not present. Deputy Mayor Struiksma adjourned the meeting at 12:34 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-excused by R-265407
(City business at Department of Interior
Hearing in Los Angeles regarding the 5-year OCS
Oil and Leasing Program for January. 1987)
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present
Clerk-Abdelnour (bb)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present

ITEM-117: (R-86-1784) ADOPTED AS RESOLUTION R-265409

19860408

Authorizing the following actions relating to the provisions of the Fair Labor Standards Act (FLSA) and its applicability to the City of San Diego:

1. Revising provisions for overtime eligibility of City employees in the Classified Service to conform with the provisions of the Fair Labor Standards Act, to be effective April 11, 1986;
2. Establishing an FLSA Section 7(k) exemption for Fire Classes and establishing a 28-day work period for City employees in Fire Classes, pursuant to that Section 7(k);
3. Amending the Fiscal Year 1986 Memorandum of Understanding (MOU) with Local 145, International Association of Fire Fighters (IAFF) to implement FLSA provisions for Fire Classes as indicated;
4. Rescinding Resolutions R-263170 and R-264074 dated May 14, 1985 and September 16, 1985, respectively.

FILE: MEET

COUNCIL ACTION: (Tape location: A012-041.)

MOTION BY JONES TO ADOPT STAFF RECOMMENDATIONS BUT NOT TO IMPLEMENT EXHIBIT A WITH REGARD TO POLICE OFFICERS NOR RESCIND RESOLUTIONS R-263170 and R-264074 REGARDING POLICE OFFICER CLASSIFICATIONS. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-330:

(Continued from the meeting of March 18, 1986, Item 335, at Council Member Wolfsheimer's request, to allow the City Attorney time to prepare an Ordinance reflecting revisions approved by Council.)

A proposal to amend Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by:

- 1) Amending the La Jolla Commercial Areas Planned District Ordinance, O-16312 N.S., incorporating the Cultural Complex and the Multi-Family Areas - Zones 5 and 6;
- 2) Establishing land use, design standards and development controls to encourage the preservation and growth of cultural uses within the Cultural Complex Area;
- 3) Establishing density, land use, design standards and

development controls for the Multi-Family Area to implement the La Jolla Community Plan and the La Jolla-La Jolla Shores Local Coastal Program Addendum; and

4) Amending the Appendix of the La Jolla Commercial Area Planned District Ordinance to include a List of Street Trees that will maintain the continuity of tree species traditionally found in La Jolla.

The area is generally bounded by the Commercial Planned District boundary at Fay Avenue and Pearl Street; and the Pacific Ocean.

(District-1.)

Subitem-A: (O-86-157 Rev. 1) INTRODUCED AS AMENDED, TO BE
ADOPTED APRIL 21, 1986

Introduction of an Ordinance amending the La Jolla Commercial Areas Planned District Ordinance.

Subitem-B: (O-86-158) INTRODUCED, TO BE ADOPTED APRIL 2,
1986

Introduction of an Ordinance rezoning certain properties within the La Jolla Commercial Areas Planned District from Zone R-1000 to Zones 5 and 6 of the Planned District.

FILE: --

COUNCIL ACTION: (Tape location: A042-B222.)

Hearing began at 10:18 a.m. and halted at 11:13 a.m.

Testimony in favor by Dave Tompkins, Larry Keller, Dave O'Dell, and Tony Ciani.

Testimony in opposition by Rebecca Michaels, George Shenan and John Patton.

MOTION BY WOLFSHEIMER TO INTRODUCE AS AMENDED SUBITEM A
DELETING

THE WORDING IN SEC. 103.1204A., PARAGRAPH 4 "EXCEPT AS NOTED IN THE PARAGRAPH IMMEDIATELY ABOVE", AND ADD THE WORDING IN SEC. 103.1205A.5. "EXCEPT FOR INSTITUTIONAL USES, THOSE OTHER...", AND INTRODUCE SUBITEM B. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-nay, Martinez-yea, Mayor-vacant.

ITEM-331:

Two actions relative to the Murray Ridge Road (Encino Avenue to Harjoan Avenue) Underground Utility District: (Serra Mesa Community Area. District-5.)

Subitem-A: (R-86-386) ADOPTED AS RESOLUTION R-265410
Establishing the Murray Ridge Road (Encino Avenue to
Harjoan Avenue) Underground Utility District.

Subitem-B: (R-86-387) ADOPTED AS RESOLUTION R-265411
Authorizing the expenditure of an amount not to exceed
\$4,000 from CIP-37-028, Federal Revenue Sharing Fund 18013,
for the purpose of administering the Murray Ridge Road
(Encino Avenue to Harjoan Avenue) Underground Utility
District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground
the overhead utility facilities on Murray Ridge Road between
Encino Avenue and Harjoan Avenue. This is a scheduled project
in the Calendar Year 1986 Capital Improvements Program. The
formation of this district will require the affected property
owners to underground the portion of their utilities on their
parcel prior to removal of the overhead utilities. The total
number of affected properties in this district is 51, all of
which are single-family residential properties. A typical cost
range for a licensed contractor to perform this conversion work
on residential private property is \$600 to \$1,100. The recently
adopted Council Policy 800-2 provides for the use of San Diego
Gas and Electric Company's annual allocation funds (Case 8209)
to make reimbursement payments of \$300 each to the affected
property owners where the required length of trenching on
private property exceeds 15 feet. A future resolution will
establish the date for removal of overhead utilities as the
undergrounding work approaches completion.

Aud. Cert. 86223.

FILE: STRT K-150

COUNCIL ACTION: (Tape location: B223-230.)

Hearing began at 11:13 a.m. and halted at 11:14 a.m.

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the
following vote: Wolfsheimer-yea, Cleator-not present,
McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Martinez-yea, Mayor-vacant.

19860408

ITEM-332:

A proposal to amend the First San Diego River Improvement
Project (FISDRIP) Specific Plan for the Hazard Center.
The approved project includes 247,500 square feet of
commercial retail, 400,000 square feet of office and 300
residential units on 42 acres of land. The revised project
proposes 142,000 square feet of commercial retail, 550,000

square feet of office, 145 residential units and a 275-room hotel.

The subject property is located north of the approved floodway between State Route 163 and Mission Center Road within the Mission Valley community.
(District-5.)

Subitem-A: (R-86-1640) ADOPTED AS RESOLUTION R-265412

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-80-0341, Supplemental Environmental Impact Report EIR-83-0092, and Addendum to Environmental Impact Report EIR-85-0362 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; adoption of the findings and statement of overriding considerations submitted and attached to the Addendum, pursuant to California Public Resources Code Section 21081, in connection with Environmental Impact Report EIR-83-0092.

Subitem-B: (R-86-1639 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-265413

Adoption of a Resolution approving the Hazard Center Amendment (II) to the First San Diego River Improvement Project Specific Plan.

FILE: LAND First San Diego River Improvement
Project (FISDRIP) Specific Plan

COUNCIL ACTION: (Tape location: B231-440.)

Hearing began at 11:14 a.m. and halted at 11:27 a.m.

Testimony in favor by Paul Robinson.

MOTION BY MARTINEZ TO ADOPT SUBITEMS A AND B TO INCLUDE THE LIGHT RAIL TRANSIT PROPOSAL AS SUBMITTED BY ATTORNEY PAUL ROBINSON, DATED APRIL 8, 1986, AND ALSO TO RETAIN THE PEDESTRIAN BRIDGE IN THE PLANNING PROCESS. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-333:

Appeal of University Canyon Homeowners Association, by David M. George, from the decision of the Planning Commission in granting (as modified) an amendment to Conditional Use Permit CUP-3345, which proposes grading for

and construction of 167 graduate housing units, a child-care center and athletic facilities on a 47.35 acre site (a portion of the 164 acre University of San Diego East Campus). The subject property is located on the north side of Linda Vista Road between Santa Ana Drive and Via Las Cumbres, in Zone R1-5000 (portion HR), in the Linda Vista Community Plan area, and is further described as Parcel 2, Parcel Map PM-12838.
(CUP-85-0315. District-6.)

19860408

Subitem-A: (R-86-124) ADOPTED AS RESOLUTION R-265414

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration END-85-0315 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-86-125) ADOPTED AS RESOLUTION R-265415

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit with appropriate findings to support Council action.

FILE: PERM CUP-3345

COUNCIL ACTION: (Tape location: B441-503.)

Hearing began at 11:28 a.m. and halted at 12:14 p.m.

Testimony in favor by George M. George, Bill La Velle, and John H. Donovan.

Testimony in opposition by John L. Zelerberg.

MOTION BY GOTCH TO ADOPT SUBITEMS A AND B TO 1) SUSTAIN THE DECISION OF THE PLANNING COMMISSION AND APPROVE THE CUP AMENDMENTS AS OUTLINED IN THE LETTER SUBMITTED BY MR. DAVID GEORGE, DATED APRIL 2, 1986, 2) THAT THE UNIVERSITY AND COMMUNITY PLANNING GROUP DISCUSS THE LOCATION OF THE CHILD CARE CENTER BUT NOT PERMIT THE LOCATION AS REQUESTED BY THE UNIVERSITY, 3) THAT ANY FUTURE CUP REQUESTS INVOLVE THE EVALUATION BY STAFF OF ANY MITIGATION THAT MIGHT BE APPROPRIATE, AND 4) THAT THE PLANNING DIRECTOR APPROVE ANY REVISED PLANS THAT WOULD BE BASED ON MR. GEORGE'S LETTER OR ANY DISCUSSION HELD AT THE COUNCIL MEETING OF APRIL 8, 1986. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-334:

Two actions relative to the Freeway Agreement for State Route 52 from Interstate 805 to Santo Road:
(See City Manager Report CMR-86-105. Serra Mesa and Tierrasanta Community Areas. Districts-5 and 7.)

Subitem-A: (R-86-1642) ADOPTED AS RESOLUTION R-265416

Authorizing the execution of an agreement with the State of California for the construction and improvements of State Route 52 from Interstate 805 to Santo Road; authorizing the City Manager to work with CalTrans to develop a non-motorized transportation facility in the State Route 52 corridor.

Subitem-B: (R-86-1643) ADOPTED AS RESOLUTION R-265417

Certifying that the information contained in the Environmental Impact Statement for State Route 52, completed by the State of California in 1985, has been reviewed and considered by the Council.

FILE: MEET

COUNCIL ACTION: (Tape location: C650-686.)

Hearing began at 12:21 p.m. and halted at 12:23 p.m.

MOTION BY McCARTY TO ADOPT SUBITEMS A AND B WITH THE UNDERSTANDING THAT THE MAP IS TO INDICATE THAT THE END OF THE ROAD IS AT THE SECOND AQUEDUCT AND NOT AT SANTO ROAD. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S500:

(Continued from the meetings of January 28, 1986, Item 333, and March 11, 1986, Item 336 and April 1, 1986, Item 337; last continued at Council Member Wolfsheimer's request.)

A proposal to amend the North City West Carmel Valley Neighborhood 1 Precise Plan to change various residential densities, resulting in an increase of dwelling units from 1,957 to 2,199 units and to amend the North City West Carmel Valley Neighborhoods 4, 5 and 6 Precise Plan to reduce the number of dwelling units from 1,015 to 948 within Neighborhood 5; and

To amend the North City West Planned District Ordinance to accommodate the revisions to the precise plans.

(District-1.)

19860408

Subitem-A: (R-86-1232 Rev.1) ADOPTED AS RESOLUTION R-265418

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0473 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-86-1231 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-265423

Adoption of a Resolution amending the North City West Carmel Valley Neighborhood 1 and Neighborhoods 4, 5 and 6 Precise Plans.

Subitem-C: (O-86-126) INTRODUCED, TO BE ADOPTED APRIL 21, 1986

Introduction of an Ordinance amending the North City West Planned District.

Subitem-D: (R-86-2038) ADOPTED AS RESOLUTION R-265419

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-85-0473.

FILE:

Subitems A, B and D LAND North City West
Carmel Valley Neighborhood 1 Precise Plan &
North City West Neighborhood 4, 5 & 6 Precise Plan;

Subitem B --

COUNCIL ACTION: (Tape location: C504-649.)

Hearing began at 12:15 p.m. and halted at 12:20 p.m.

Testimony in favor by Jeffrey Lundstrom.

Motion by Wolfsheimer to table Carmel Valley Neighborhoods 4, 5 and 6 Precise Plans of

Subitem B. Second by McCarty. Passed by
the following votes: Yeas-1,3,5,6,7,8. Not present-2,4.
Vacant-M.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEMS A AND D, INTRODUCE
SUBITEM

C, AND ADOPT AS AMENDED SUBITEM B AS FOLLOWS: 1) THAT THE WESTERN
PORTION OF ONE RENAISSANCE PARK BE INCORPORATED AS AN ADDITIONAL

PARK SITE THAT WOULD BE SITUATED AT THE CENTER OF THE PROPERTY TOWARDS THE SOUTH WHICH WOULD ANNEX AN ADDITIONAL 50 PERCENT MORE

PARK LANDS INTO THAT SITE TO CREATE A DIRECT CONNECTION TO THE OPEN SPACE LINKAGE THAT WOULD GO OFF TO THE EAST FROM THE PARK SITE (NEIGHBORHOOD 1); 2) THAT THE SECOND PARK SITE THAT IS IN A SINGLE-FAMILY AREA WOULD BE MODIFIED TO CREATE A 1.25 ACRE RENAISSANCE PARK; 3) THAT THE THIRD SITE SITUATED IN THE CENTER OF THE PROPERTY NEAR THE SAN DIEGO GAS & ELECTRIC COMPANY EASEMENT (NORTH/SOUTH), 3.9 ACRES, BE INCORPORATED INTO A RENAISSANCE PARK BISECTED BY CARMEL CENTER ROAD; 4) THAT THE TOTAL ACREAGE TO BE INCORPORATED IN THE PLANS AS RENAISSANCE PARKS BE 8.11 ACRES, 6.25 ACRES OF WHICH WOULD BE USABLE GROUND AND WOULD BE INCORPORATED

INTO THREE DIFFERENT SITES AND PAID FOR OUT OF FACILITIES BENEFIT ASSESSMENT FUNDS; 5) THAT THE DENSITY OF NEIGHBORHOOD 1 BE INCREASED TO 179 UNITS; AND 6) THAT THERE BE A PRO RATA SHARE BETWEEN THE BALDWIN COMPANY AND THE GRANT PROPERTY REGARDING THE

DENSITY IN NEIGHBORHOOD 1. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-UC-3: (R-86-1939) ADOPTED AS RESOLUTION R-265422

19860408

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member William Jones from portions of the City Council meeting of Tuesday, April 8, 1986, for the purpose of testifying before the County Board of Supervisors regarding the State 252 issue.

FILE: MEET

COUNCIL ACTION: (Tape location: D111-114.)

MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-CS-1: (R-86-1916) ADOPTED AS RESOLUTION R-265424

A Resolution adopted by the City Council in Closed Session on April 8, 1986:
Authorizing the City Manager to pay the total sum of \$12,000

in settlement of each and every claim against the City, its agents and employees resulting from the personal injuries to Donald Washington. Authorizing the City Auditor and Comptroller to issue one check in the amount of \$12,000 made payable to Donald Washington and his attorney, Robert E. Schroth.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Struiksma at 12:34 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: D115-122).

MOTION BY WOLFSHEIMER TO ADJOURN IN HONOR OF THE MEMORY OF PATRICIA GARTH. Second by Gotch . Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.